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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/527,066	RUGG, DOUGLAS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Joseph C. Merek	3727	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/09/04.
2. ☒ The allowed claim(s) is/are 2-5, 8-17, 21, 22 and 24.
3. ☒ The drawings filed on 1/10/02 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 7/9/04.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>7/9/04</u> , <u>2/23/04</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                                      |
|   | 9. <input type="checkbox"/> Other _____   |

### ***Drawings***

The corrected drawing sheets filed 1/10/02 have been approved by the examiner. The replacement sheets have been initialed by the examiner and are in the IFW file.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel J. Meaney, Jr. on July 9, 2004.

The application has been amended as follows:

In the claims:

Claims 1, 6, 7, 18-20, 23, and 25 have been canceled.

Claim 21 has been replaced with claim 21 below:

21. A bag for holding an outer member having an interior and an exterior surface configured in the shape of a ball and defining an inner enclosed space, said exterior

surface including an opening formed therein in a selected direction and in communication with said inner enclosed space affording the insertion and removal of a ball from said outer member:

a carrying handle connected in a predetermined position to said outer member at a location other than the opening, said carrying handle having a first strap member having a first end and a second end, said first end being operatively connected to said outer member, said second end terminating in a strap connecting member, said carrying handle having a second strap member having a first end and a second end, said first end of said second strap member being operatively connected to said exterior surface of said outer member, said second end of said second strap member being operatively connected to said strap connecting member wherein said strap connecting member and said second end of said second strap are moveable relative to each other;

a fastening member having an open end and a closed position, said fastening member being operatively connected to said opening to said first end and said second end of the carrying handle and being adapted to make said opening an unsecured opening when said fastening member is in the open position and adapted to make said opening a secured opening when the fastening member is in a closed position; and

at least one outer pocket positioned on and protruding outwardly from the exterior surface of said outer member at a location other than the opening and having an entryway enabling the insertion and removal of an article from said one outer pocket; and

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an elongated carrying strap having a first end and a second end, said first end of said elongated carrying strap being operatively connected to said first end of said first strap member and said second end of elongated carrying strap being operatively coupled to the second end of said second strap member.

Claims 2-5, in the first line of each claim, "1" has been replaced with --21--.

Claims 8-16, in the first line of each claim, "1" has been replaced with --21--.

Claim 24, has been replaced with claim 24 below:

24. the bag of claim 21 wherein said elongated carrying strap has a length and is configured to form at least one selected from the group consisting of a pack sac and a knapsack.

In the specification:

The amendment filed 4/9/04, in the paragraph on page 14 beginning on line 24, the following has been deleted: "As shown in Fig. 3, the fastening means 50 is in the form of a zipper 52 having an elongated length defining the length of the opening 38 and a narrow width defining the width of the opening 38, which narrow width is less than the elongated length, and the narrow width defining the opening width is substantially perpendicular to the elongated length defining the opening length."

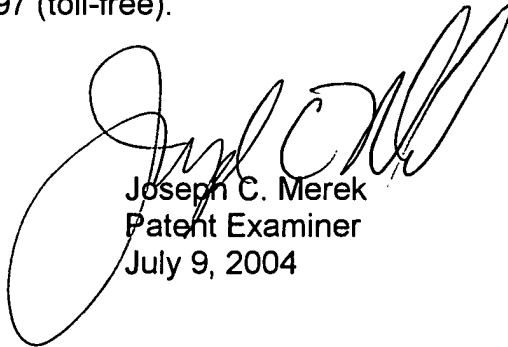
The following is an examiner's statement of reasons for allowance: the prior art does not teach the claimed combination where the bag has first and second straps operatively connected to form a carrying handle and an elongated carrying strap, where one first end of the elongated carrying strap is operatively coupled to the first end of the first strap and the second end of the elongated carrying strap is operatively coupled to the second end of the second strap. Aliff (US D 394,348) teaches a bag without the elongated carrying strap. To employ an elongated carrying strap operatively connected to the carrying handle as claimed would have required hindsight.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph C. Merek whose telephone number is (703) 305-0644. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee Young can be reached on (703) 308-2572. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph C. Merek  
Patent Examiner  
July 9, 2004